

Attorney's Docket No. 07898-059001

DECLARATION, POWER OF ATTORNEY AND PETITION

I (We), the undersigned inventor(s), hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I (We) believe that I am (we are) the original first and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR DISPLAYING GENE EXPRESSION

PATTERNS

the specification of which

is attached hereto

was filed on _____ as

Application Serial No. _____

and amended on _____

was filed as PCT international application

Number _____

on _____

and was amended under PCT Article 19

on _____ (if applicable).

I (We) hereby state that I (We) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I (We) do not know and do not believe that this invention was ever known or used before my invention or discovery thereof or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States for more than one year prior to this application; that this invention or discovery has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives, or assigns more than twelve months before this application.

I (We) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

I (We) hereby claim foreign priority benefits under Section 119(a)-(d) of Title 35 United States Code, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing date	Priority claimed
<u>277918/1999</u>	<u>Japan</u>	<u>September 30, 1999</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>88695/2000</u>	<u>Japan</u>	<u>March 28, 2000</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

I hereby claim the benefit under Section 119(e) of Title 35 United States Code, of any United States application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

I (We) hereby claim the benefit under Section 120 of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, I (We) acknowledge the duty to disclose material information as defined in Section 1.56(a) of Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status (pending
patented
abandoned)

And I (We) hereby appoint: Bing Ai Registration No 43,312; Nicholas T. Bauz, Registration No 41,604; Robert M. Bedgood, Registration No 43,488; Gregory P. Einhorn Registration No 38,440; Diane L. Gardner Registration No 36,518; James T. Hagler Registration No 40,631; Scott C. Harris Registration No 32,030; Kenyon S. Jenckes Registration No 41,873; John F. Land Registration No 29,554; Samuel S. Lee Registration No 42,791; Christopher S. Marchese Registration No 37,177; Todd G. Miller Registration No 42,003; Michael P. Reed Registration No 45,647; Shekhar Vyas Registration No 46,166; and John R. Wetherell, Jr. Registration No 31,678

I (We) hereby request that all correspondence regarding this application be sent to the firm of FISH & RICHARDSON P.C. whose Post office address is 4350 La Jolla Village Drive, Suite 500, San Diego CA 92122 U.S.A

I (We) declare further that all statements made herein of my (our) knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Yasuyuki NOZAKI
NAME OF FIRST SOLE INVENTOR

Yasuyuki NOZAKI
Signature of Inventor

September 12, 2000
Date

Residence: Kanagawa, Japan

Citizen of: Japan
Post Office Address: c/o Hitachi
Software Engineering Co., Ltd.,
6-81, Onoe-cho, Naka-ku,
Yokohama-shi, Kanagawa 231-8475
Japan

Ryo NAKASHIGE
NAME OF SECOND JOINT INVENTOR

Ryo Nakashige
Signature of Inventor

September 12, 2000
Date

Residence: Kanagawa, Japan

Citizen of: Japan

Post Office Address: c/o Hitachi
Software Engineering Co., Ltd.,
6-81, Onoe-cho, Naka-ku,
Yokohama-shi, Kanagawa 231-8475
Japan

Tsunehiko WATANABE
NAME OF THIRD JOINT INVENTOR

Tsunehiko Watanabe
Signature of Inventor
September 12, 2000
Date

Residence: Kanagawa, Japan

Citizen of: Japan

Post Office Address: c/o Hitachi
Software Engineering Co., Ltd.,
6-81, Onoe-cho, Naka-ku,
Yokohama-shi, Kanagawa 231-8475
Japan

Takuro TAMURA
NAME OF FOURTH JOINT INVENTOR

Takuro Tamura
Signature of Inventor
September 12, 2000
Date

Residence: Kanagawa, Japan

Citizen of: Japan

Post Office Address: c/o Hitachi
Software Engineering Co., Ltd.,
6-81, Onoe-cho, Naka-ku,
Yokohama-shi, Kanagawa 231-8475
Japan